DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/5/2022



MATTHEW KRAUS

Direct Dial: (212) 785-0757 mkraus@chartwelllaw.com

Reply To: New York Office

One Battery Park Plaza, 7th Floor New York, NY 10004 Phone: (212) 968-2300 Facsimile: (212) 968-2400

August 4, 2022

## **VIA ECF**

Honorable Sarah Netburn United States Magistrate Judge United States District Court Southern District of New York 40 Foley Square New York, NY 10007

Re: Tectonic Builders, Inc. v. The Travelers Indemnity Company

Docket No. 21-CV-09479 (ALC) (SN)

Dear Judge Netburn:

This law firm represents plaintiff Tectonic Builders, Inc. ("Tectonic"). We write in response to defendant The Travelers' Indemnity Company's ("Travelers") August 2, 2022 correspondence seeking a pre-motion conference. We sincerely apologize to the Court and Travelers for the delay in providing a response to Travelers' First Set of Interrogatories. Tectonic will provide a certified response to Travelers First Set of Interrogatories as soon as possible.

We note that the issues germane to this matter – Travelers' duty to defend and indemnify Tectonic in the underlying action commenced by Juan Aguirre – depend entirely upon Aguirre's complaint, the subject Travelers policy, the construction contract executed by Tectonic and Travelers' insured, Practical Plumbing and Heating, and Aguirre's complaint. Those documents have been exchanged by the parties.

We apologize again for the delay.

Very truly yours

The Court expects that Plaintiff will provide a certified response to Travelers First Set of Interrogatories by the close of discovery. The close of fact discovery is today. Plaintiff shall file a letter with the Court by August 8, 2022, confirming its compliance. The Clerk of Court is respectfully directed to close the gavel at ECF No. 27.

SO ORDERED.

SARAH NETBURN

United States Magistrate Judge

Dated: August 5, 2022

New York, New York